

Remarks

Status of the Claims

Claims 1-43 are pending in the application. All claims stand rejected. By this paper, claims 1, 6-11, 13, 15, 19-21, 27-31, 33, 35, 39, and 40-43 have been amended. New claims 44-48 have been added. Reconsideration of the claims is respectfully requested.

Claim Rejections

Claims 1-3, 7, 10, 11, 13, 21-24, 28, 30, 31, 33, 41, 42, and 43 stand rejected under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent No. 5,706,388 issued to Isaka ("Isaka"). Claims 1, 6, 8, 9, 15, 16, 19, 21, 27, 29, 35, 36, 39 stand rejected under 35 U.S.C. § 102(e) as being anticipated by U.S. Published Patent Application Publication No. 2002/0172330 filed by Brunelle et al. ("Brunelle"). Claims 12, 14, 20, 32, 34, and 40 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Isaka. Claims 4, 5, 17, 18, 25, 26, 37, and 38 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Brunelle. As set forth below, Applicant respectfully submits that each of the pending claims is patentably distinct from the cited prior art.

The cited prior art fails to teach or suggest automatically buffering a television signal for subsequent playback after an interactive option is terminated.

Applicant has amended independent claims 15, 21, 35, 42, and 43 to recite detecting an interactive option at an interactive television system and automatically buffering a television signal for playback after the interactive option is terminated.

Neither of the cited references, whether alone or in combination, disclose or suggest each of these limitations in these claims, as amended.

As set forth on pages 20 and 21 of the Application, Applicant has disclosed a system for detecting an interactive option, such as an interactive poll, survey, purchasing opportunity, or embedded Internet link, in an interactive television system and using this detection (detecting the availability or presentation of the option to the user, or detecting the user's activation of the option, for example) as a trigger to automatically initiate a buffering operation of a television signal. This allows a user to enjoy the functionality of an interactive television system without the drawback of missing portions of the television programming he or she is watching while interacting with the television system.

Both of the cited references—Isaka and Brunelle—relate to handling incoming telephone calls with a television system, but neither addresses the idea of enhancing interactive television by providing a user with the ability to interact with television programming (by purchasing a product shown on a commercial, by being presented with a poll or survey related to a television program, or by surfing the Internet with embedded links relating to a television program, for example) without missing portions (or all) of the television programming itself. In fact, not only do the cited references fail to teach buffering and subsequently resuming a television signal in response to an interactive option, they fail to even mention providing such interactive options.

The cited prior art also fails to teach or suggest automatically buffering a television signal for subsequent playback after a communication received from a television set-top box is terminated.

Applicant has amended independent claims 1 and 41 to recite detecting a communication from a television set-top box at an interactive television system and automatically buffering a television signal for playback after the communication is terminated. Again, neither of the cited references, whether alone or in combination, disclose or suggest each of these limitations in these amended claims.

As set forth on page 16 of the Application, Applicant has disclosed establishing a two-way communication between two (or more) television set-top boxes. In accordance with Applicant's claimed invention in the aforementioned claims, initiation (or acceptance) of such an incoming communication may be detected by an interactive television system and used to trigger a buffering operation, which allows for subsequent playback of the buffered television signal after the communication has been terminated. The cited prior art references discuss incoming standard telephone calls, but fail to teach or suggest managing a communication (text or otherwise) received from another set-top box.

In view of the foregoing, all pending claims represent patentable subject matter. A Notice of Allowance is respectfully requested.

Respectfully submitted,

Digeo, Inc.

By



Kory D. Christensen
Registration No. 43,548

STOEL RIVES LLP
One Utah Center Suite 1100
201 S Main Street
Salt Lake City, UT 84111-4904
Telephone: (801) 328-3131
Facsimile: (801) 578-6999